

REMARKS

On May 15, 2006, Examiner Jwalant B. Amin, in connection with a May 12, 2006 initiated phone call, spoke with Aaron C. Deditch (reg. no. 33,865) regarding the Examiner's proposed amendments to claims 13, 37 and 59. Examiner Amin advised that he would allow the case if "a color of the colored line" was changed to "a color of only the colored line". Accordingly, Applicants agreed to the minor corrections and the case was allowed.

It is noted that the Interview Summary form that was used was PTOL-413, which states that Applicant is given one month from the Interview date (May 15, 2006) or one month from its mailing date (May 19, 2006), whichever is later.

However, since this involved an Examiner initiated interview, it is respectfully submitted that PTOL-413B should have been used, and since the case was allowed, the first box of Part III of that form should have provided that Applicant did not need to provide a separate record of the interview, since the interview directly resulted in the allowance of the Application, and since the Examiner provided a written summary of the substance of the interview in the Notice of Allowability (which was done here).

As explained above, the Examiner Amendment and Interview Summary is correct as to the fact that Applicants agreed to amend claims 13, 37 and 59, and so the case was allowed.

If Applicant had initiated the Interview, then PTOL-413 would have been the proper form to use.

The foregoing procedures are documented and explained in the M.P.E.P. At 713.04 (pages 700-182 to 700-186).

Since, however, the Examiner sent form PTOL-413, it is believed that this response satisfies the request for Applicant to file a Statement of the Substance of the Interview (see pages 700-184 and 700-185 of the M.P.E.P.).

U.S. Pat. App. Ser. No. 10/772,654
Attorney Docket No. 10746/38
Communication (Substance of the Interview)
As to 5/15/2006 Interview Summary

Conclusion

In view of the foregoing, it is respectfully submitted that all of the pending claims are allowed in view of the Notice of Allowability. It is therefore respectfully requested that the present application issue promptly.

Respectfully submitted,

Dated: 6/5/2006

By: 

Aaron C. Deditch
Reg. No. 33,865

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200

CUSTOMER NO 26646